

## Remarks

### I. Introduction

Claims 1-9 are pending in the present case and stand rejected under 35 USC 102(b) and 35 USC 103. Figures 2-15 were also objected to as failing to comply with 37 CFR 1.84(p)(5). In addition, several parts of the specification were also objected to by the Official Action. The Applicants traverse these objections and rejections for the reasons stated below.

### II. The Application Traverses the Claim Rejections

Claims 1, 2 and 6-9 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,712,626 to Andreou et al. ("the Andreou patent"). Claim 3 was rejected under 35 USC 103 as being unpatentable over Andreou et al. in view of the Nicholls publication. Claim 4 was rejected under 35 USC 103 as being unpatentable over Andreou et al. in view of U.S. Patent No. 5,999,637 to Toyoda et al. ("the Toyoda patent"). Claim 5 was rejected under 35 USC 103(a) as being unpatentable over Andreou et al. in view of U.S. Patent No. 5,467,403 to Fishbine et al. ("the Fishbine patent"). The applicants traverse these rejections for the reasons stated below.

Applicants' amended claim 1 is directed to a *two-part* system where a sensor *outside of a secure* area receives a fingerprint and a transmitter sends a signal representing the fingerprint. The fingerprint circuitry, which *resides inside a secured area* receives the fingerprint representing signal and determines whether the represented fingerprint is that of an authorized user. Specifically, applicants amended claim 1 recites a fingerprint sensor that is "disposed outside the secure area," a receiver "inside the secure area for receiving the signal representative of the fingerprint," and "a fingerprint circuit disposed inside the secure area and responsive to the received signal for determining whether the fingerprint is representative of an authorized user."

In contrast, the Andreou patent suggests a "complex optical pattern recognition in the EDL and the replacement of the HHC by positive identification of fingerprints." In other words, the Andreou patent teaches a one piece unit that is not placed or enclosed in a secure area. Applicants' approach of placing a critical portion of the system in a secure area realizes important advantages over the approach taken by Andreou, namely, the ability to have processing accomplished in a secure area, free from potential security concerns. Since applicants' claims include limitations not taught or suggested by the cited references, applicants' claims are allowable over these references.

In addition, Applicants' claims recite that the transmission from the sensor to the processor is wireless. In contrast, the system described in the Andreou patent teaches that any sensor is directly wired to the EDL, given that the units are one-in-the-same. The wireless transmission aspect of

*Amendment*

*Reply to Office Action Response dated November 6, 2003*

*Attorney Docket No. 70333*

applicants' system allows important portions of the system to be enclosed in a secure area with the advantages of secure processing described above.

Claims 2-9 depend directly or indirectly upon claim 1. Since claim 1 is allowable, claims 2-9 are allowable for the same reasons stated above.

### **III. The Objections to the Drawings are Traversed**

Figures 2-15 were objected to as failing to comply with 37 CFR 1.84 (p)(5) because they were unlabeled as to all reference signs mentions in the description. The applicants have added reference numerals to all the figures as requested. In addition, references signs 10, 39, 39a, 39b, 39c and 39d were not shown in Figure 1. The applicants have added these reference numerals. Proposed corrected drawings are attached for the Examiner's approval.

### **IV. The Objections to Specification are Traversed**

The Official Action objected to the disclosure based on several informalities. Specifically, the Office Action stated that the language "...ease of establishing the identity to the user be granted access by either receiver or transmitter" was confusing as to content. The specification has been amended as requested by the Office Action. The Office Action noted that the term "of the" was repeated twice on page 5, line 2 of the specification. Appropriate correction has been made. The Office Action also stated that "perform am appropriate" on page 16, line 33 should read "perform an appropriate." Appropriate correction has been made to the specification.

### **V. The Claim Objection is Traversed**

Claim 3 was objected to because the recited "electroiluminescent" is not the accepted spelling of this term. The claim has been amended to recite the correct spelling.

*Amendment*

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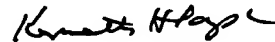
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**VI. Conclusion**

In view of the above amendments and remarks, applicant respectfully requests allowance of the pending claims. The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

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